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APM-HELMS; 1ST LD-1ST :

URGENT

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WASH: IN CHILE.

IN PASSING SENTENCE: U.S. DISTRICT JUDGE BARRINGTON D. PARKER ACCEPTED A WHITE HOUSE-APPROVED DEAL FOR LENIENCY. BUT PARKER WARNED THAT IT WOULD BE THE LAST TIME HE WOULD DO SO FOR ANY PUBLIC OFFICIAL WHO VIOLATES THE LAW.

"YOU NOW STAND BEFORE THIS COURT IN DISGRACE AND SHAME," THE JUDGE TOLD HELMS. "IF PUBLIC OFFICIALS IGNORE THE LAWS; THE FUTURE OF OUR COUNTRY IS IN JEOPARDY.

"FROM THIS DAY FORWARD LET THERE BE NO DOUBT THAT NO ONE IN GOVERNMENT OR IN A POSITION OF RESPONSIBILITY IS ABOVE THE LAW."

END

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APM-HELMS; 1ST LD-2ND ADD; A097;170

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WASH: THE LAW. HELMS AND DEADED NOLO CONTENDERE -- NO CONTEST -- MONDAY TO TWO COUNTS OF FAILING TO ANSWER THE "MATERIAL QUESTIONS" OF A SENATE COMMITTEE INQUIRING ABOUT CIA ACTIVITIES IN ATTEMPTING TO PREVENT THE 1970 ELECTION OF SALVADOR ALLENDE AS PRESIDENT OF CHILE.

PARKER SAID THAT THE COURT RULED HELMS GUILTY AS CHARGED.

THE CHARGES ARE MISDEMEANORS; EACH PUNISHABLE BY A MINIMUM OF ONE MONTH IN JAIL AND A \$100 FINE TO THE MAXIMUM ONE YEAR IN JAIL AND THE \$1,000 FINE THAT PARKER IMPOSED.

THE JUDGE SAID HE WAS SUSPENDING THE JAIL PORTION AND PLACING HELMS ON ONE YEAR OF UNSUPERVISED PROBATION. THE FORMER CIA HEAD MUST; HOWEVER; PAY THE \$2,000.

BOTH HELMS' ATTORNEY, EDWARD BENNETT WILLIAMS; AND GOVERNMENT ATTORNEY BENJAMIN R. CIVILETTI HAD ARGUED FOR LENIENCY.

"IMPOSITION OF INCARCERATION WITHOUT SUSPENSION IS INAPPROPRIATE; NOT JUSTIFIED; AND WILL NOT DO JUSTICE UNDER THESE CIRCUMSTANCES," SAID CIVILETTI; ASSISTANT ATTORNEY GENERAL IN CHARGE OF THE CRIMINAL DIVISION.

HELMS HAD BEEN; 5TH GRAF

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URGENT ' ' ' HELMS 2 WASHINGTON

JUDGE BARRINGTON PARKER DENOUNCED MR HELMS FOR HAVING FELT HIS OATH TO PROTECT CIA SECRETS WAS MORE SIGNIFICANT THAN THE OATH HE TOOK TO TESTIFY TRUTHFULLY WHEN QUESTIONED ABOUT THE AGENCY'S ROLE IN CHILE BY THE SENATE FOREIGN RELATIONS COMMITTEE IN 1973.

"THERE ARE THOSE EMPLOYED IN THE INTELLIGENCE COMMUNITY -- AND UNTIL RECENTLY YOU WERE ONE OF THEM -- WHO FEEL THEY HAVE A LICENSE TO OPERATE OUTSIDE THE DICTATES OF THE LAW," JUDGE PARKER SAID.

NO ONE, THE JUDGE SAID, "IS ABOVE THE LAW OR IS RELIEVED OF THE RESPONSIBILITY OF COMPLYING WITH IT." 1/2

MORE 1118

***R234

R A5334)3BYLZYRUIV

HELMS 3 WASHINGTON

THE JUDGE FINED MR HELMS 2,000 DOLLARS -- 1,000 DOLLARS ON EACH OF THE TWO COUNTS OF FAILURE TO TESTIFY FULLY AND TRUTHFULLY; TO WHICH HE PLEADED NO CONTEST ON MONDAY.

HE ALSO IMPOSED SENTENCES OF ONE YEAR IN PRISON ON EACH COUNT BUT IMMEDIATELY SUSPENDED THE JAIL TERM.

MR HELMS SAID NOTHING IN THE COURTROOM EXCEPT FOR REQUIRED BRIEF RESPONSES TO PROCEDURAL QUESTIONS FROM THE BENCH; BUT HE TOLD REPORTERS LATER HE FELT LEGALLY BOUND BY A CIA SECRECY REQUIREMENT NEVER TO REVEAL "BY WORD, CONDUCT OR BY ANY OTHER MEANS" ANY CLASSIFIED INFORMATION.

GOVERNMENT : RECOMMENDED UNDER A PLEA BARGAIN WORKED OUT BETWEEN PROSECUTION AND DEFENSE.

ATTORNEY GENERAL GRIFFIN BELL SAID THIS WEEK THAT TERMS OF THE BARGAIN WERE COMMUNICATED TO PRESIDENT CARTER BEFORE MR HELMS ENTERED HIS PLEA ON MONDAY AND THE PRESIDENT APPROVED.

MR HELMS' LAWYER, EDWARD BENNETT WILLIAMS, URGED THE COURT BEFORE SENTENCING TO ACCEPT THAT THE FORMER CIA CHIEF HAD BEEN FACED WITH AN AGONIZING DILEMMA WHEN THE QUESTIONS AT SENATE HEARINGS TO CONFIRM HIM AS AMBASSADOR TO IRAN IN FEBRUARY, 1973 TURNED TO THE CHILEAN SITUATION.†

MORE 1127

††R235

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††HELMS 4 WASHINGTON†

ON FEBRUARY 7 AND AGAIN ON MARCH 6, MR HELMS, RESPONDING TO QUESTIONS, DENIED THE CIA HAD ATTEMPTED IN ANY WAY TO PREVENT THE LEFTIST SALVADOR ALLENDE FROM BEING ELECTED PRESIDENT OF CHILE.

DURING AN INTENSIVE EXAMINATION OF THE CIA AND OTHER INTELLIGENCE AGENCIES TWO YEARS LATER IT BECAME KNOWN THAT THE CIA HAD SPENT HEAVILY IN AN UNSUCCESSFUL EFFORT TO DEFEAT MR ALLENDE, AND THAT MR HELMS HAD DIRECTED THE ACTIVITIES WITH THE KNOWLEDGE AND DIRECTION OF PRESIDENT NIXON.

MR WILLIAMS ARGUED THAT THE OATHS MR HELMS HAD TAKEN NEVER TO DIVULGE OFFICIAL SECRETS OF THE CIA, EVEN BY CONDUCT, BARRED HIM FROM EXTRICATING HIMSELF BY ASKING THAT THE COMMITTEE GO INTO PRIVATE SESSION SO THAT HE COULD RESPOND TO THE QUESTIONS.

BECAUSE HE ELECTED TO PROTECT THE AGENCY HE HAD SERVED, MR WILLIAMS SAID MR HELMS WILL NOW BEAR "THE SCAR OF A CRIMINAL CONVICTION" ON HIS RECORD.†

MORE 1130